



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

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16 October 2008

CERTIFIED MAIL

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Mr. Dennis Beardsley
General Services Director
City of Chico
965 Fir Street
Chico, CA 95928

TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2008-0593, CITY OF CHICO REGIONAL WASTEWATER POLLUTION CONTROL PLANT, CHICO, BUTTE COUNTY

Enclosed is a tentative Administrative Civil Liability Order (ACL) alleging violations of Clean Water Act (CWA) section 301, and California Water Code (CWC) section 13376, for discharge of pollutants to surface waters in violation of a National Pollutant Discharge Elimination System (NPDES) permit. CWC section 13385 authorizes the Regional Water Quality Control Board (Central Valley Water Board) to impose administrative civil liability on a discharger for such violations. Based on an evaluation of the factors outlined in CWC section 13385, the Order proposes an administrative civil liability of **\$100,000**.

Administrative Civil Liability Complaint No. R5-2008-0509 was issued on 17 March 2008, and the City of Chico subsequently waived its right to a hearing before the Central Valley Water Board within 90 days of service of the Complaint. The City of Chico then engaged the Central Valley Water Board in settlement discussions. The City of Chico presented several Supplemental Environmental Projects (SEP), which would be funded in lieu of assessment of the total proposed administrative civil liability penalty. The Central Valley Water Board approved the Big Chico Creek Watershed Citizen Monitoring Program as the SEP to satisfy \$68,019 of the penalty. This tentative Order is being issued to enforce the terms of the settlement agreement for the Administrative Civil Liability Complaint No. R5-2008-0509.

Adoption of this Order (Order No. R5-2008-0593) constitutes a settlement of the violations alleged in Administrative Civil Liability Complaint No. R5-2008-0509, and will be circulated to the public for a period of 30-days to allow interested persons to comment on this action. Electronic copies of the tentative Order is available for viewing and downloading on our website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders. Should the Central Valley Water Board receive new information or comments during this comment period, the Central Valley Water Board's Executive Officer may withdraw the tentative Order. Interested persons should submit any comments on this Order in writing within 30 days from the date of this letter to the Regional Water Board's Redding office at the above address, attention Greg Cash.

California Environmental Protection Agency



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If you have any questions, please contact Greg Cash at (530) 224-3208, gdcash@waterboards.ca.gov, or the letterhead address above.

JAMES C. PEDRI, P.E.
Assistant Executive Officer

GDC: sae

Enclosures

cc+encl: California Regional Water Quality Control Board, Central Valley Region, Regional Board Members, Rancho Cordova
Mr. Rick Brausch, U.S. Environmental Protection Agency, Region IX, San Francisco
Mr. Jason Brush, U.S. Environmental Protection Agency, Region IX, San Francisco
California Environmental Protection Agency, Sacramento
Department of Fish and Game, Region II, Rancho Cordova
Department of Health Services, Office of Drinking Water, Redding
Department of Water Resources, Northern District Office, Red Bluff
Ms. Val Conner, State Water Resources Control Board, Division of Water Quality, Sacramento
Mr. Patrick Pulupa, State Water Resources Control Board, OCC, Sacramento
Mark Bradley, State Water Resources Control Board
Butte County Division of Environmental Health, Chico
Marc Sulik, City of Chico Wastewater Treatment Plant Supervisor, Chico

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